



1638

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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	09/529,239	
	Filing Date	October 27, 2000	
	First Named Inventor	Marie-Pascale Doutriaux	
	Group Art Unit	1638	
	Examiner Name	David H. Kruse	
Total Number of Pages in This Submission	11	Attorney Docket Number	A33153-PCT-USA 072667.0128

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Supplemental Information Disclosure Statement (5 sheets); Form PTO-1449 (3 sheets); and Return postcard
Remarks <input type="checkbox"/>		RECEIVED SEP 03 2002 TECH CENTER 1600/2900

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	BakerBotts LLP 30 Rockefeller Plaza New York, NY 10112
Signature	<i>Carmella L. Stephens</i> Att Name: Carmella L. Stephens PTO Reg: 41,328
Date	September 26, 2002

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: <u>September 26, 2002</u>	
Typed or printed name	Carmella L. Stephens
Signature	<i>Carmella L. Stephens</i> Date: September 26, 2002

Title:

METHOD FOR OBTAINING PLANT VARIETIES

Use Space Below for Additional Information:

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**FEE TRANSMITTAL
for FY 2001**

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

(\$ 0)

Complete if Known

Application Number	09/529,239
Filing Date	October 27, 2000
First Named Inventor	Marie-Pascale Doutriaux
Examiner Name	David H. Kruse
Group Art Unit	1638
Attorney Docket No.	A33153-PCT-USA 072667.0128

METHOD OF PAYMENT

- 1.
- ☒
- The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit
Account
Number

02-4377

Deposit
Account
Name

Baker Botts LLP

- ☒
- Charge Any Additional Fee Required
-
- Under 37 CFR 1.16 and 1.17

- ☐
- Applicant claims small entity status.
-
- See 37 CFR 1.27

- 2.
- ☐
- Payment Enclosed:**

- ☐
- Check
- ☐
- Credit card
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-
- Order
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- Other

FEE CALCULATION**1. BASIC FILING FEE**

Large Entity Small Entity

Fee (\$)	Fee (\$)	Fee Description	Fee Paid
740	370	Utility filing fee	
330	165	Design filing fee	
510	255	Plant filing fee	
740	370	Reissue filing fee	
160	80	Provisional filing fee	

SUBTOTAL (1) (\$ 0)**2. EXTRA CLAIM FEES**

Total Claims	Extra Claims	Fee from below	Fee Paid
38	67 ** = 0	18	0
5	9 ** = 0	84	0
Multiple Dependent			

Large Entity Small Entity

Fee (\$)	Fee (\$)	Fee Description
18	9	Claims in excess of 20
84	42	Independent claims in excess of 3
280	140	Multiple dependent claim, if not paid
84	42	** Reissue independent claims over original patent
18	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

(\$ 0)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid
130	65	Surcharge - late filing fee or oath	
50	25	Surcharge - late provisional filing fee or cover sheet	
130	130	Non-English specification	
2,520	2,520	For filing a request for <i>ex parte</i> reexamination	
920*	920*	Requesting publication of SIR prior to Examiner action	
1,840*	1,840*	Requesting publication of SIR after Examiner action	
110	55	Extension for reply within first month	
400	200	Extension for reply within second month	
920	460	Extension for reply within third month	
1,440	720	Extension for reply within fourth month	
1,960	980	Extension for reply within fifth month	
320	160	Notice of Appeal	
320	160	Filing a brief in support of an appeal	
280	140	Request for oral hearing	
1,510	1,510	Petition to institute a public use proceeding	
110	55	Petition to revive - unavoidable	
1,280	640	Petition to revive - unintentional	
1,280	640	Utility issue fee (or reissue)	
460	230	Design issue fee	
620	310	Plant issue fee	
130	130	Petitions to the Commissioner	
50	50	Processing fee under 37 CFR 1.17(q)	
180	180	Submission of Information Disclosure Stmt	
40	40	Recording each patent assignment per property (times number of properties)	
740	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
740	370	For each additional invention to be examined (37 CFR § 1.129(b))	
740	370	Request for Continued Examination (RCE)	
900	900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 0)**SUBMITTED BY**Name (Print/Type) **Carmella L. Stephens**Registration No. (Attorney/Agent) **41,328****Complete (if applicable)**Telephone **(212) 408-2539**

Signature

Date

September 26, 2002

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A33153-PCT-USA 072667.0128
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Marie-Pascale Doutriaux
Serial No. : 09/529,239 Examiner : Kruse, David H.
Filed : October 27, 2000 Group Art Unit : 1638
For : METHODS FOR OBTAINING PLANT VARIETIES

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SEP 03 2002

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SUPPLEMENTAL INFORMATION DISCLOSURE
STATEMENT

I hereby certify that this paper is being deposited with
the United States Postal Service as first class mail in an
envelope addressed to: Assistant Commissioner for Patents,
Washington, D.C. 20231

September 26, 2002

Date of Deposit

Carmella L. Stephens

Attorney Name

41,328

PTO Registration No.

Carmella L. Stephens
Signature

September 26, 2002

Date of Signature

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

In accordance with 37 C.F.R. §1.56 and §1.97(c)(2), Applicants respectfully
request that the references relating to the above-identified application listed herein in reverse

chronological alphabetical order be considered and made of record in the U.S. Patent and Trademark Office.

1. Asano T et al., 2002, "Rice SPK, a calmodulin-like domain protein kinase, is required for storage product accumulation during seed development: phosphorylation of sucrose synthase is a possible factor" *Plant Cell*. 14(3):619-628;
2. Jobling SA et al., 2002, "Production of a freeze-thaw-stable potato starch by antisense inhibition of three starch synthase genes" *Nat Biotechnol*. 20(3):295-299;
3. Scheidig A et al., 2002, "Downregulation of a chloroplast-targeted beta-amylase leads to a starch-excess phenotype in leaves" *Plant J*. 30(5):581-591;
4. Verpoorte R et al., 2002, "Engineering secondary metabolite production in plants" *Curr Opin Biotechnol*. 13(2):181-187;
5. Forkmann G et al., 2001, "Metabolic engineering and applications of flavonoids" *Curr Opin Biotechnol*. 12(2):155-160;
6. Tuteja N et al., 2001, "Molecular mechanisms of DNA damage and repair: progress in plants" *Crit. Rev. Biochem Mol. Biol*. 36(4):337-397;
7. Zhang Y et al., 2001, "Expression of antisense SnRK1 protein kinase sequence causes abnormal pollen development and male sterility in transgenic barley" *Plant J*. 28(4):431-441;
8. Cao X et al., 2000, "Conserved plant genes with similarity to mammalian de novo DNA methyltransferases" *Proc Natl Acad Sci USA* 97(9):4979-4984;
9. Culligan KM et al., 2000, "Arabidopsis MutS homologs-AtMSH2, AtMSH3, AtMSH6, and a novel AtMSH7-form three distinct protein heterodimers with different specificities for mismatched DNA" *Plant Cell* 12:991-1002;
10. O'hara P et al., 2000, "Modulation of fatty acid biosynthesis by antisense beta-keto reductase expression" *Biochem Soc Trans*. 28(6):613-615;
11. Stepanova AN et al., 2000, "Ethylene signaling: from mutants to molecules" *Curr Opin Plant Biol*. 3(5):353-360;
12. Yanagisawa S, 2000, "Dof1 and Dof2 transcription factors are associated with expression of multiple genes involved in carbon metabolism in maize" *Plant J*. 21(3):281-288;
13. Ade J et al., 1999, "Four mismatch repair paralogues coexist in Arabidopsis thaliana: AtMSH2, AtMSH3, AtMSH6-1 and AtMSH6-2" *Mol. Gen. Genet*. 262(2):239-249;

14. Martin M et al., 1999, "Antisense-mediated depletion of potato leaf omega3 fatty acid desaturase lowers linolenic acid content and reduces gene activation in response to wounding" *Eur J Biochem.* 262(2):283-290;
15. Royo J et al., 1999, "Antisense-mediated depletion of a potato lipoxygenase reduces wound induction of proteinase inhibitors and increases weight gain of insect pests" *Proc Natl Acad Sci USA* 96(3):1146-1151;
16. Schroda M et al., 1999, "A chloroplast-targeted heat shock protein 70 (HSP70) contributes to the photoprotection and repair of photosystem II during and after photoinhibition" *Plant Cell* 11(6):1165-78;
17. Amor Y et al., 1998, "The involvement of poly(ADP-ribose) polymerase in the oxidative stress responses in plants" *FEBS Lett.* 440(1-2):1-7;
18. Kaldenhoff R et al., 1998, "Significance of plasmalemma aquaporins for water-transport in Arabidopsis thaliana" *Plant J.* 14(1):121-128;
19. Robbins MP et al., 1998, "Genetic manipulation of condensed tannins in higher plants. II. Analysis Of birdsfoot trefoil plants harboring antisense dihydroflavonol reductase constructs" *Plant Physiol.* 116(3):1133-1144;
20. Xu H et al., 1998, "Plant homologue of human excision repair gene ERCC1 points to conservation of DNA repair mechanisms" *Plant J.* 13(6):823-9;
21. Bavage AD et al., 1997, "Expression of an Antirrhinum dihydroflavonol reductase gene results in changes in condensed tannin structure and accumulation in root cultures of Lotus corniculatus (bird's foot trefoil)" *Plant Mol Biol.* 35(4):443-458;
22. Lee D et al., 1997, "Antisense suppression of 4-coumarate:coenzyme A ligase activity in Arabidopsis leads to altered lignin subunit composition" *Plant Cell.* 9(11):1985-1998;
23. Mett VL et al., 1996, "A system for tissue-specific copper-controllable gene expression in transgenic plants: nodule-specific antisense of aspartate aminotransferase-P2" *Transgenic Res.* 5(2):105-113;
24. Masle J et al., 1993, "Effects of Ambient CO₂ Concentration on Growth and Nitrogen Use in Tobacco (Nicotiana tabacum) Plants Transformed with an Antisense Gene to the Small Subunit of Ribulose-1,5-Bisphosphate Carboxylase/Oxygenase" *Plant Physiol.* 103(4):1075-1088;
25. Orozco-Cardenas M et al., 1993, "Expression of an antisense prosystemin gene in tomato plants reduces resistance toward Manduca sexta larvae" *Proc Natl Acad Sci USA* 90(17):8273-8276;

26. Bramley P et al., 1992, "Biochemical characterization of transgenic tomato plants in which carotenoid synthesis has been inhibited through the expression of antisense RNA to pTOM5" *Plant J.* 2(3):343-349; and
27. McGurl B et al., 1992, "Structure, expression, and antisense inhibition of the systemin precursor gene" *Science* 255(5051):1570-1573.


A Supplemental Information Disclosure Statement was filed in the above-identified application on September 23, 2002. However, a Form PTO-1449 was apparently not included. Applicants enclose herewith the Form PTO-1449. Copies of the references were provided with the Supplemental Information Disclosure Statement filed on September 23, 2002.

Identification of the references listed in the attached PTO Form 1449 is not to be construed as an admission of Applicants or Attorneys for Applicants that such references are available as "prior art" against the above-identified application.

Applicants enclosed the fee required under 37 C.F.R. §1.17(p) with the Supplemental Information Disclosure Statement filed on September 23, 2002. Applicants do not believe that any additional fees are required with this submission. Any required fees not otherwise enclosed herewith may be charged to Deposit Account No. 02-4377. Two copies of this page are enclosed.

Respectfully submitted,

September 26, 2002


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Enclosures